



GOVERNMENT OF PUERTO RICO
Department of Natural and Environmental Resources

March 24, 2011

Marjorie C. Winemiller, PE
Environmental Engineer
Facilities Design & Construction Center
US Coast Guard
5505 Robin Hood Road, Suite K
Norfolk, VA 23512-2431

Dear Mrs. Winemiller:

We have reviewed the request from United States Coast Guard (USCG) for consultation concerning to listed species in the area of the USCG base located in La Puntilla, San Juan, Puerto Rico (Figure 1). It proposes the construction of 4 new piers with dimensions of 25' x 190' and an area of operations to replace existing facilities.

According to our database two species designated as endangered, the Brown pelican (*Pelecanus occidentalis*) and the West Indina manatee (*Trichechus manatus manatus*), have been reported within a radius of 400 meters from the area proposed for the construction (Figure 2). In a larger radius and surrounding the San Juan Bay, another listed endangered species has been observed, the green turtle (*Chelonia mydas*; Figure 3). The West Indian manatee and the Green turtle are protected by the Endangered Species Act of 1973. These two species and the Brown pelican are also protected by the Commonwealth Law No. 241 of August 1999 (The New Wildlife Law of Puerto Rico) and Regulation 6766 (Regulation to Govern the Endangered and Threatened Species in the Commonwealth of Puerto Rico). The Peregrine Falcon (*Falco peregrinus*) has also been reported in the vicinity of the project. The falcon and the Brown pelican are protected by the Migratory Bird Treaty Act of 1918 and Law No. 241.

There are several sighting reports of various species of dolphins at the entrance of San Juan Bay in recent years. Although the dolphins are not in the list of threatened species, they are protected federally under the Marine Mammals Protection Act of 1972 and locally under Law No. 241. These establish that it is illegal to disturb (harass), capture or kill any marine mammal.

Another aspect to consider besides the presence of these species is the benthic community. The green turtle and the manatee are marine species that inhabit our waters and commonly graze on sea grass beds. These species may be affected by the proposed action if it includes the removal of vegetation that may exist in the area where the piers will be built. Other species living on the pilings or sea floor could be affected by the proposed actions.

Of special concern would be the coral species, in particular *Acropora palmata* and *Acropora cervicornis*, considered endangered species. At present we don't have information on benthic organisms and type of marine substratum in the area. Therefore, a benthic study must be conducted to determine the potential impact on marine organisms before any work is carried out.

While conducting the project, caution must be exercised not to disturb the species already recognized of concern. The pelicans and the falcon should not be molested while feeding or resting in the project area. Protocols must be established to halt activities to avoid that type of situation.

To avoid situations that could harm turtles and marine mammals during construction we recommended the following:

- Establish a perimeter in the project area.
- Have an experienced observer monitoring the perimeter.
- If a manatee enters the established perimeter stop activities, until the manatee leaves the perimeter on its own.
- Do not offer food or water to marine mammals
- Dispose garbage in proper places to avoid marine mammal entanglement and/or accidental ingestion of debris by marine mammals

If you find a stranded or injured animal, contact the Department of Natural and Environmental Resources (DNER), Ranger Corps Command Center at 787-724-5700. For situations with marine mammals contact the Fisheries Research Laboratory, Monday through Friday, from 7:30 a.m. - 4:00 p.m. at 787-833-2025. In addition, you could contact the Stranding Coordinators of the DNER Marine Mammal Rescue Program, Grisel Rodriguez at 787-538-4684 or Nilda Jimenez at 787-645-5593 anytime.

Sincerely,



Daniel J. Galán-Kercadó
Secretary

RLR/MAG/mtn/ero

Enclosures

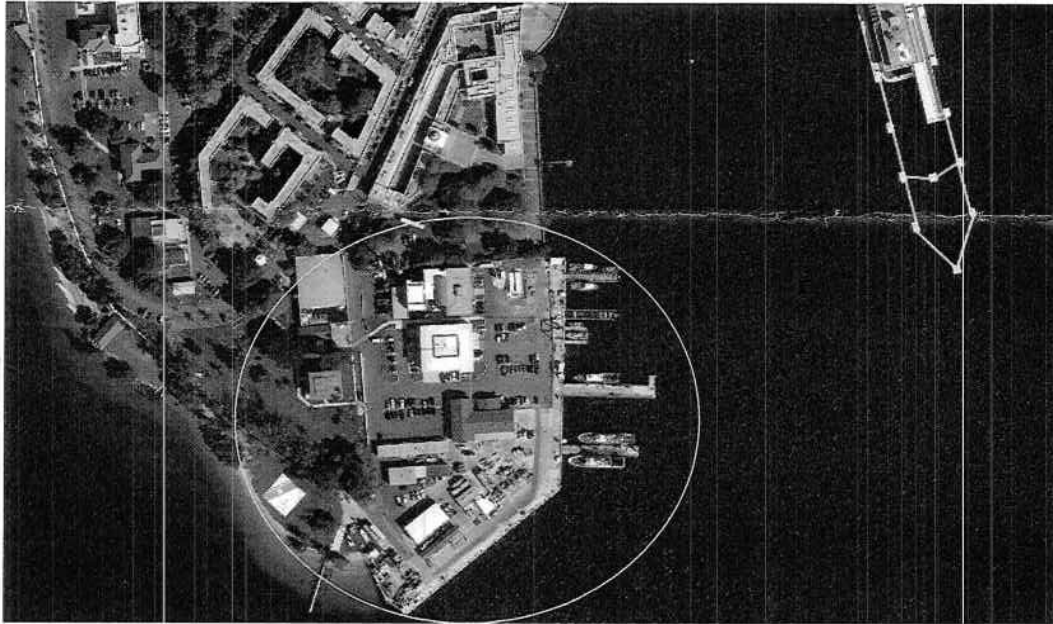
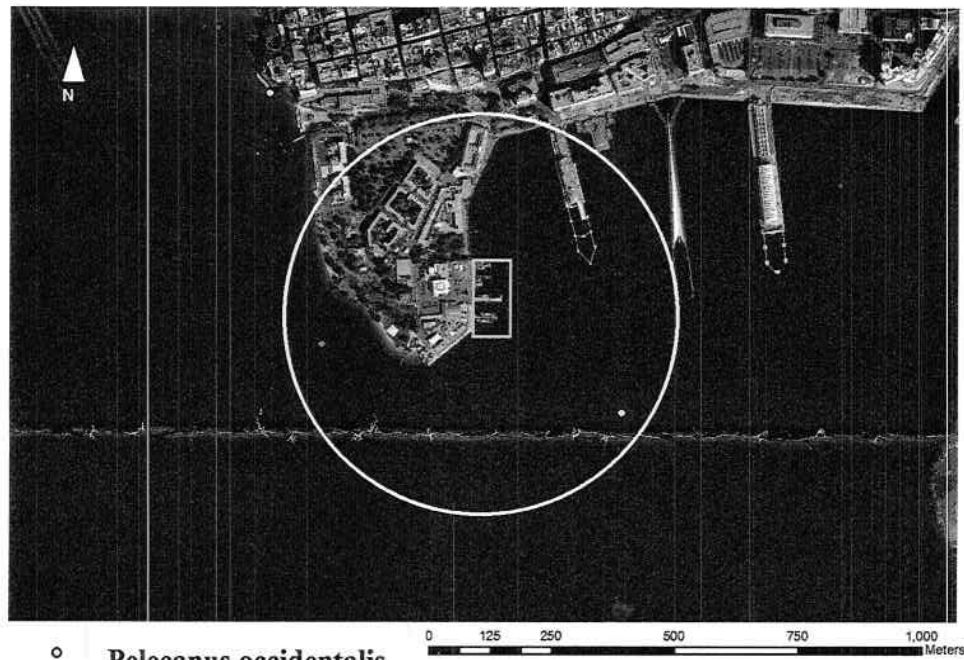
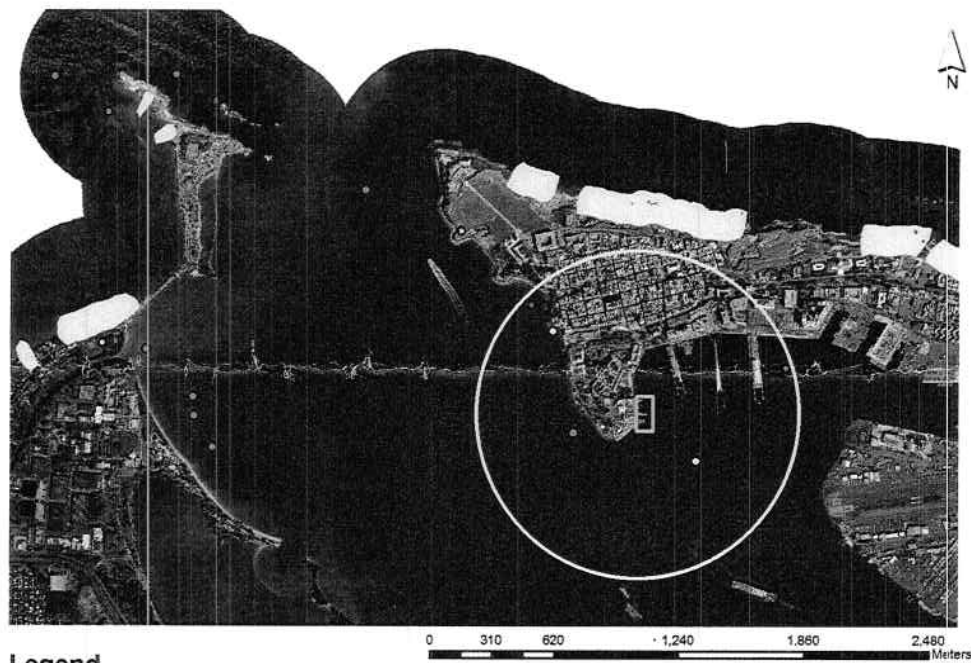


Figure 1. United States Coast Guard San Juan Base, La Puntilla Viejo San Juan, P.R.



- ***Pelecanus occidentalis***
- ***Trichechus manatus***

Figure 2. Species designated as endangered reported within a radius of 400 meters (white circle). The orange rectangle represents the area proposed for new piers.



Legend

- *Trichechus manatus*
- *Chelonia mydas*
- *Falco peregrines*
- *Pelecanus occidentalis*
- Hawksbill nesting areas

Figure 3. Species designated as threatened or endangered reported within a radius of 800 meters (circle). Orange rectangle, represents the area proposed for new piers.



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F/SER31:LC

Marjorie C. Winemiller, PE
Environmental Engineer
Commanding Officer, Facilities Design and Construction Center
United States Coast Guard
5505 Robin Hood Road, Suite K
Norfolk, VA 23513-2431

RE: Construction of Waterfront and Shore Facilities for Fast Response Cutters, Sector San Juan, U.S. Coast Guard Base, La Puntilla, San Juan, Puerto Rico

Dear Ms. Winemiller:

This responds to your letter dated January 11, 2011, requesting information from the National Marine Fisheries Service (NMFS) Protected Resources Division regarding threatened and endangered species and designated critical habitat under our purview that may be present in the area of the U.S. Coast Guard (USCG) Base at La Puntilla, San Juan, Puerto Rico. The USCG is proposing the demolition of four piers and their replacement with four new piers measuring 25 feet wide by 190 feet long, and the demolition of five existing buildings and their replacement with one new building to support base services and cutter requirements.

Our data indicate that the project area is within the range of the following species listed as threatened or endangered under the Endangered Species Act (ESA) and ESA-designated critical habitat under NMFS jurisdiction:

1. Hawksbill sea turtle (*Eretmochelys imbricata*) - Endangered
2. Green sea turtle (*Chelonia mydas*) - Threatened
3. Leatherback sea turtle (*Dermochelys coriacea*) - Endangered
4. Loggerhead sea turtle (*Caretta caretta*) - Threatened
5. Elkhorn coral (*Acropora palmata*) - Threatened
6. Staghorn coral (*Acropora cervicornis*) - Threatened
7. Humpback whale (*Megaptera novaeangliae*) - Endangered
8. Blue whale (*Balaenoptera musculus*) - Endangered
9. Finback whale (*Balaenoptera physalus*) - Endangered
10. Sei whale (*Balaenoptera borealis*) - Endangered
11. Sperm whale (*Physeter macrocephalus*) - Endangered
12. Elkhorn and Staghorn Coral designated critical habitat



We have included a section 7 checklist to serve as a guide for the USCG in preparing a consultation for the proposed project. If you have any questions regarding the ESA consultation process or listed species, please contact Dr. Lisamarie Carrubba at (787) 851-3700, or by e-mail at lisamarie.carrubba@noaa.gov. Thank you for the opportunity to provide information regarding listed species under our purview for this project.

Sincerely,

A handwritten signature in dark ink, appearing to read "David M. Bernhart", followed by a small flourish.

David M. Bernhart
Assistant Regional Administrator
for Protected Resources

Enclosure

File: 1514-22.H

Ref: T/SER/2011/00101



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Boqueron Field Office
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FEB 07 2011

Ms. Marjorie C. Winemiller, PE
Environmental Engineer
5505 Robin Hood Rd., Suite K
Norfolk, VA 23513-2431

Re: USCG waterfront and shoreline
facilities, San Juan, Puerto Rico

Dear Ms. Winemiller:

Thank you for your letter dated November 19, 2010 requesting comments regarding the above referenced project. Our comments are provided as technical assistance under the Endangered Species Act (87 Stat. 884, as amended; 16 United States Code 1531 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). Please refer to project identification number **FWS-72127-069** in any further correspondence.

The proposed project consists of the construction of waterfront and shore facilities to support the homeporting of the six newly acquired Fast Response Cutters (FRC) at the United States Coast Guard Base in Old San Juan, Puerto Rico. According to the information provided waterfront infrastructure will consist of 4 new piers (25 feet wide x 190 feet long), with new travel lift operations. Another pier (Echo) will be repaired. Potable water, sewage, communications, fire protections, refueling, and other pier services would be provided to support the FRC and other vessels. Shore infrastructure will require new construction to provide for storage needs. Five buildings (105, 106, 108, 110, 111) have been recommended to be demolished and a new facility be constructed.

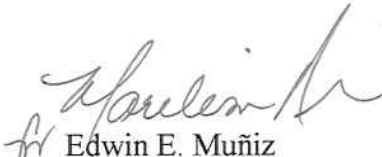
The San Juan Bay harbors suitable habitat for the endangered Antillean manatee, traveling sea turtles and brown pelicans. Please be aware that from August 16 to August 18, 2006, four males and one female adult Antillean manatees were found dead in the San Juan Bay area. The cause of death for these animals was determined to be human related due to a large boat impact. Dead manatees showed signs of blunt trauma and large boat propeller scars. When a single female is associated to a group of males, they are forming a mating herd and the manatees are extremely active and thus visible. This event, although unfortunate, serves as evidence that manatees do use the San Juan Bay area. This accident may have been prevented by following idle speed zones within the San Juan Bay and/or by having an observer on board while transiting in that area.

We have included as an attachment manatee protection and conservation guidelines. We may recommend the use of a marine mammal observer before and during in water construction. It is important that every day before construction starts, qualified personnel should verify for the presence of manatees in that area. Work should be extremely cautious if a manatee is seen within the proximity of the construction area. Work should stop if the manatee is seen entering the area or within 50-100 meters of the pier construction site.

If manatee conservation measures are included as standard condition in the Corps permit, the Service would not object to the issuance of a permit for the proposed project. Please submit the proposed project to the Corps for permitting and review. For concurrence regarding possible effects on sea turtles in the water, please contact the NOAA Fisheries Caribbean Field Office.

Thank you for the opportunity to comment on this project. If you have any questions or require additional information, please contact Jan P. Zegarra at 787-851-7297 extension 220. You may also visit our website <http://www.fws.gov/caribbean/ES> for additional information on threatened and endangered species under jurisdiction and Section 7 consultation process.

Sincerely yours,


Edwin E. Muñiz
Field Supervisor
Caribbean Field Office

jpz

Enclosure: *USFWS April 2010 Technical Assistance to Evaluate Effects on Antillean Manatees*

cc

COE, San Juan